

**CITY OF SEATTLE  
SEPA ENVIRONMENTAL CHECKLIST**

**A. BACKGROUND**

**1. Name of proposed project, if applicable:**

Living Building Pilot Program

**2. Name of applicant:**

City of Seattle, Department of Planning and Development

**3. Address and phone number of applicant and contact person:**

Department of Planning and Development  
700 5<sup>th</sup> Avenue, Suite 2000  
Seattle, Washington 98104  
Contact: Brennon Staley, Urban Planner, (206) 684-4625

**4. Date checklist prepared:**

November 1, 2009

**5. Agency requesting checklist:**

City of Seattle, Department of Planning and Development

**6. Proposed timing or schedule (including phasing, if applicable):**

Approval by City Council and Mayor in late 2009 or early 2010.

**7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**

No.

**8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

None, except for the SEPA determination that will be prepared for this proposal.

**9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**

No.

**10. List any government approvals or permits that will be needed for your proposal, if known.**

Approval of ordinance amendments by Seattle City Council.

**11. Give brief, complete description of your proposal, including the proposed**

**uses and the site of the project. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**

This proposal would create a Living Building Pilot Program to assist projects in attempting to meet the requirements of the Living Building Challenge. The Living Building Challenge is a green building rating system created by the International Living Building Institute to recognize buildings meeting the highest level of sustainability. The Living Building Challenge requires buildings to meet a series of prerequisites relating to site, energy, materials, water, indoor quality, and beauty and inspiration. The Pilot Program would accept up to 12 projects over a 3-year period. To be accepted, projects would have to submit a plan demonstrating how their proposal would meet each of the prerequisites of the Living Building Challenge. Projects would be admitted on a first-come, first-serve basis according to time at which a complete application is submitted.

All projects accepted into the program would undergo full design review through the existing design review process pursuant to Chapter 23.41. The scope and criteria for design review departures would be modified to allow, to the extent that Code departures may be necessary, the Board to recommend an expanded range of departures from Code requirements including: limited departures from permitted accessory uses, height, and floor area ratio (FAR).

Specific provisions of the proposed ordinance creating the pilot program include:

- Accepted projects would be eligible for additional departures, including height, use standards, floor area ratios, residential density limits, view corridors, maximum size of use, solid-waste containers, open space, parking, and the requirements for streets, alleys, and easements. Departures to use standards could be granted for accessory uses that would directly contribute to meeting a prerequisite of the Living Building Challenge, such as uses that could utilize existing waste streams or reduce the transportation impacts of people or goods. Height departures could be granted if they do not result in new habitable space more than 10 feet above the otherwise applicable height limit. Floor area ratio departures could be granted if they would not result in a floor area increase of more than 15% above the otherwise applicable limit.
- Applicants could use the building code height measurement technique.
- In addition to the departures granted under the existing criteria for design review departures (i.e. that the departure would result in a development that better meets the intent of adopted design guidelines), departures could be granted for projects in the pilot program if the departure would better meet the goals of the Living Building Challenge and would not conflict with design guidelines.
- Existing limits on the Director's ability to depart from the recommendations of the design review board would not apply.
- Pilot program projects would have to meet the Living Building Challenge or alternative minimum sustainability standards or be subject to penalties.
- The ordinance also contains standards for reporting, vesting, and permit renewal.

- 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal**

**would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

This ordinance applies to projects selected through the process and criteria established in the ordinance. Selected projects would be limited to those eligible for design review and attempting to meet the requirements of the International Living Building Institute's Living Building Challenges. Projects are not limited by zone or area of the city except that projects in the shoreline jurisdiction are not eligible. The pilot program would be limited to the first 12 applications accepted during a 3-year application period beginning on the effective date of the ordinance.

**TO BE COMPLETED BY APPLICANT: EVALUATION FOR AGENCY USE ONLY**

**B. ENVIRONMENTAL ELEMENTS**

**1. Earth**

**a. General description of the site (circle one):**

**Flat, rolling, hilly, steep slopes, mountainous, other:**

Not applicable. This is a non-project action affecting multiple parcels throughout the City with widely varying topography.

**b. What is the steepest slope on the site (approximate percent slope)?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City with widely varying topography.

**c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

Compliance with existing city ordinances to reduce or control erosion is required,

except where departures from certain standards of the Land Use code would be allowed.

**2. Air**

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. A purpose of this ordinance is to facilitate the construction of buildings resulting in substantially lower emissions to the air than conventional construction.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

Compliance with existing city ordinances to reduce or control emissions and other impacts to air is required, except where departures from certain standards of the Land Use code would be allowed.

**3. Water**

- a. Surface:**

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Numerous water bodies are present on or in the immediate vicinity of potentially affected parcels including Puget Sound, Lake Washington, Lake Union, Ship Canal, Duwamish River, and multiple smaller lakes, wetlands, and streams. Projects in the shoreline jurisdiction would not be eligible to participate in the program.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Projects in the shoreline jurisdiction would not be eligible to participate in the program.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. 100-year floodplains exist on some potentially affected parcels in the City of Seattle.

**6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. A purpose of this ordinance is to facilitate the construction of buildings resulting in substantially lower discharges than conventional construction.

**b. Ground:**

**1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. A purpose of this ordinance is to facilitate the creation of buildings that capture runoff and treat waste water on site, which may encourage the use of runoff and discharge of treated waste water into the ground.

**2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals ...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. A purpose of this ordinance is to facilitate the creation of buildings that capture runoff and treat waste water on site, which may encourage the use of runoff and discharge of treated waste water into the ground.

**c. Water Runoff (including storm water):**

**1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. A purpose of this ordinance is to facilitate the creation of buildings

resulting in substantially lower runoff than conventional construction.

**2) Could waste materials enter ground or surface waters? If so, generally describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. A purpose of this ordinance is to facilitate the creation of buildings that capture run-off and treat waste water on site, which may encourage the use of runoff and discharge of treated waste water into the ground.

**d. Proposed measures to reduce or control surface, ground, or runoff water impacts, if any:**

Compliance with existing city ordinances to reduce or control surface, ground, or runoff water impacts is required, except where departures from certain standards of the Land Use code would be allowed.

**4. Plants**

**a. Check or circle types of vegetation found on the site:**

As a non-project action, this question is not applicable. A variety of vegetation can be found within the city of Seattle.

- ☐ - deciduous tree: alder, maple, aspen, other
- ☐ - evergreen tree: fir, cedar, pine, other
- ☐ - shrubs
- ☐ - grass
- ☐ - pasture
- ☐ - crop or grain
- ☐ - wet soil plants: cattail, buttercup, bulrush, skunk- cabbage, other
- ☐ - water plants: water lily, eelgrass, milfoil, other
- ☐ - other types of vegetation

**b. What kind and amount of vegetation will be removed or altered?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**c. List threatened or endangered species known to be on or near the site.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Some of the potentially affected parcels may contain habitat for threatened or endangered species and endangered species might also reside in or near some of the parcels.

**d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:**

Compliance with existing city ordinances requiring the preservation and provision of landscaping is required, except where departures from

certain standards of the Land Use code would be allowed.

## 5. Animals

- a. **Circle any birds and animals that have been observed on or near the site or are known to be on or near the site:**

As a non-project action, this question is not applicable. A variety of birds and animals can be found within the city of Seattle.

**birds: hawk, heron, eagle, songbirds, other:**

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**mammals: deer, bear, elk, beaver, other:**

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**fish: bass, salmon, trout, herring, shellfish, other:**

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- b. **List any threatened or endangered species known to be on or near the site.**

Not applicable. The proposal is a non-project action affecting multiple parcels throughout the City. Some of the potentially affected parcels may contain habitat for threatened or endangered species and endangered species may be on or near affected parcels.

- c. **Is the site part of a migration route? If so, explain.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Parts of the City of Seattle are on migration routes for anadromous fish and species of birds.

- d. **Proposed measures to preserve or enhance wildlife, if any:**

Compliance with existing city ordinances to preserve or enhance wildlife is required, except where departures from certain standards of the Land Use code would be allowed.

## 6. Energy and Natural Resources

- a. **What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. A purpose of this ordinance is to facilitate the creation of buildings that generate as much energy as they use, which encourages the use of sustainable energy sources, including but not limited to, solar, wind, and geothermal.

- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**



Not applicable. This is a non-project action affecting multiple parcels throughout the City. A purpose of this ordinance is to facilitate the creation of buildings that generate as much energy as they use, which encourages the use of sustainable energy sources, including but not limited to, solar, wind, and geothermal and may result in capture of solar energy that could otherwise be used by adjacent properties.

**c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

Compliance with existing city ordinances for energy use and conservation is required, except where departures from certain standards of the Land Use code would be allowed.

**7. Environmental Health**

**a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. A purpose of this ordinance is to facilitate the creation of buildings resulting in substantially lower health hazards than conventional construction. The use of innovative technologies could result in an increase in risk of fire and explosions, or spills.

**1) Describe special emergency services that might be required.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**2) Proposed measures to reduce or control environmental health hazards if any:**

Compliance with existing city ordinances to reduce or control environmental health hazards is required, except where departures from certain standards of the Land Use code would be allowed.

**b. Noise**

**1) What types of noise exist in the area which may affect your project (for example: traffic, equipment operation, other)?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from site.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Noise could be created by or associated with

projects participating in the Living Building Pilot Program particularly where new technologies incorporated into these buildings result in additional noise due to standard function, such as windmills, or due to failure of new technologies.

- 2) Proposed measures to reduce or control noise impacts, if any:**  
Compliance with existing city ordinances to reduce or control noise impacts is required, except where departures from certain standards of the Land Use code would be allowed.

## **8. Land and Shoreline Use**

**a. What is the current use of the site and adjacent properties?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Potentially affected properties include all types of uses within the City of Seattle.

**b. Has the site been used for agriculture? If so, describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**c. Describe any structures on the site.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**d. Will any structures be demolished? If so, what?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**e. What is the current zoning classification of the site?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. This proposal is not limited to any zoning classifications except that projects in the shoreline jurisdiction are not eligible to participate in the program.

**f. What is the current comprehensive plan designation of the site?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. This proposal is not limited to any comprehensive plan designations.

**g. If applicable, what is the current shoreline master program designation of the site?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Projects in the shoreline jurisdiction are not eligible to participate in the program.

**h. Has any part of the site been classified as an "environmentally**

**sensitive" area? If so, specify.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. However, some of the potentially affected parcels contain environmentally sensitive areas.

**i. Approximately how many people would reside or work in the completed project?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**j. Approximately how many people would the completed project displace?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**k. Proposed measures to avoid or reduce displacement impacts, if any:**

Compliance with existing city ordinances to avoid or reduce displacement impacts is required, except where departures from certain standards of the Land Use code would be allowed.

**l. Proposed measures to ensure the proposal is compatible with existing and project land uses and plans, if any:**

Compliance with existing city ordinances to ensure compatibility with land uses and plans is required, except where departures from certain standards of the Land Use code would be allowed.

**9. Housing**

**a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**c. Proposed measures to reduce or control housing impacts, if any:**

Compliance with existing city ordinances to reduce or control housing impacts is required, except where departures from certain standards of the Land Use code would be allowed.

**10. Aesthetics**

**a. What is the tallest height of any proposed structure(s), not**

**including antennas; what is the principal exterior building material(s) proposed?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. This proposal could allow additional height above existing height limits on selected projects.

**b. What views in the immediate vicinity would be altered or obstructed?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. This proposal could allow additional height above height limits on selected projects.

**c. Proposed measures to reduce or control aesthetic impacts, if any:**

Compliance with existing city ordinances to reduce or control aesthetic impacts is required, except where departures from certain standards of the Land Use code would be allowed.

## **11. Light and Glare**

**a. What type of light or glare will the proposal produce? What time of day would it mainly occur?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. A purpose of this ordinance is to facilitate the creation of buildings that generate as much energy as they use, which encourages the use of sustainable energy sources, including solar panels, which could result in glare.

**b. Could light or glare from the finished project be a safety hazard or interfere with views?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**c. What existing off-site sources of light or glare may affect your proposal?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**d. Proposed measures to reduce or control light and glare impacts, if any:**

Compliance with existing city ordinances to reduce or control light and glare impacts is required, except where departures from certain standards of the Land Use code would be allowed.

## **12. Recreation**

**a. What designated and informal recreational opportunities are in the immediate vicinity?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Some of the affected parcels may be in the immediate vicinity of recreation opportunities.

- b. Would the proposed project displace any existing recreational uses? If so, describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

Compliance with existing city ordinances to reduce or control impacts on recreation is required, except where departures from certain standards of the Land Use code would be allowed.

### **13. Historic and Cultural Preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site?**

Not applicable. Some of the affected parcels may contain or be next to historic places and objects.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- c. Proposed measures to reduce or control impacts, if any:**

Compliance with existing city ordinances to reduce or control impacts on historic and cultural resources is required, except where departures from certain standards of the Land Use code would be allowed.

### **14. Transportation**

- a. Identify public streets and highways serving the site, and describe the proposed access to the existing street system. Show on site plans, if any.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

Not applicable. This is a non-project action affecting multiple parcels

throughout the City.

- c. **How many parking spaces would the completed project have? How many would the project eliminate?**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. This proposal may result in a reduction or elimination of parking spaces on selected projects.

- d. **Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private)**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- e. **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- f. **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- g. **Proposed measures to reduce or control transportation impacts, if any.**

Compliance with existing city ordinances to reduce or control transportation impacts is required, except where departures from certain standards of the Land Use code would be allowed.

## **15. Public Services**

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City. Departures to residential density limits could result in an increased need for public services.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

Compliance with existing city ordinances to reduce or control impacts on public services is required, except where departures from certain standards of the Land Use code would be allowed.

## **16. Utilities**

- a. **Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in immediate vicinity which might be needed.**

Not applicable. This is a non-project action affecting multiple parcels throughout the City.

**C. Signature**

The above answers are true and complete to the best of my knowledge. I understand the lead agency is relying on them to make its decision.

Signature: \_\_\_\_\_(signature on file)\_\_\_\_\_  
Brennon Staley  
Urban Planner, Department of Planning and Development

Date Submitted: November 1, 2009

This checklist was reviewed by:

\_\_\_\_\_(signature on file) \_\_\_\_\_  
William Mills, Senior Land Use Planner, Department of Planning and Development

Any comments or changes made by the Department are entered in the body of the checklist and contain the initials of the reviewer.

\_\_\_\_\_

## **D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS**

(Do not use this sheet for project actions)

**Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.**

**When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.**

**1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

The proposed changes are not likely to result in increased discharges to water, air, noise, or toxic/ hazardous substances as the purpose of the proposal is to facilitate the development of buildings that meet the Living Building Challenge. The Living Building Challenge requires buildings to use less energy and water than conventional construction, treat water on site, and reduce the impacts of construction materials and interior finishes.

Minor indirect discharges could occur where new technologies incorporated into these buildings could result in inadvertent discharges due to standard function, such as the noise generation due to windmills or discharge of treated wastewater through rain gardens, or due to failure of new technologies, such as the backup of on-site wastewater treatment. New technologies will still have to meet the requirements of noise and odor standards as well as the public health, plumbing, electrical, mechanical and building codes which will tend to minimize any such discharges.

**Proposed measures to avoid or reduce such increases are:**

Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

**2. How would the proposal be likely to affect plants, animals, fish, or marine life?**

Overall, this ordinance is not likely to result in significant adverse impacts to plants, animals, fish, and marine life as discussed in the response to question D1. Some plants, animals, fish, and marine life may benefit from potential reductions in discharges discussed in D1. Pilot projects may incorporate a substantial number of plants into their designs in order to treat stormwater or may incorporate few plants where they desire to utilize more of their solar resources for solar collection. Plants may also be affected where pilot projects divert water for use in buildings or discharge water in different areas or discharge treated waste water which provides nutrients.

**Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

**3. How would the proposal be likely to deplete energy or natural resources?**

This ordinance is not likely to deplete energy or natural resources as discussed in the response to question D1.



**Proposed measures to protect or conserve energy and natural resources are:**

Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

**4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

This ordinance is not likely to result in significant adverse impacts to environmentally sensitive areas as the purpose of the proposal is to facilitate the development of buildings that have minimal impacts on the local environment as discussed in the response to question D1. A prerequisite of the Living Building Challenge is that projects may not be built on sensitive areas such as wetlands and floodplains.

Minor indirect adverse impacts could occur where departures on properties containing environmentally sensitive areas result in additional height or reduced setbacks, which could cause additional shading, noise, or visual impacts. These impacts are likely to be minor as height and FAR departures are limited and departures to the Environmentally Critical Areas code are not allowed. Projects in the shoreline jurisdiction would not be eligible to participate in the program.

Minor indirect adverse impacts could also occur on sites containing historic or cultural sites where departures allow buildings that are out of character with existing historic or cultural elements. As departure requests will be reviewed for compatibility with existing design guidelines, these impacts are likely to be minimized. Existing requirements for historic districts or landmark buildings would also tend to reduce impacts.

**Proposed measures to protect such resources or to avoid or reduce impacts are:**

Projects in the shoreline jurisdiction would not be eligible to participate in the program. Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

**5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

This proposal will not affect shoreline uses as projects in the shoreline jurisdiction are not eligible to participate in the program.

Minor indirect impacts to land use could occur where departures allow buildings with different massing and accessory uses or otherwise modify existing standards. Departure requests will be reviewed against the goals of the Living Building Challenge and design guidelines, which will tend to minimize adverse impacts. Moreover, the pilot program is limited to 3 years or 12 selected projects, which will limit the potential impact of this program. Nevertheless, departures could result in impacts to land uses, particularly where unforeseen consequences occur or trade-offs to benefit environmental goals are made. Changes to building massing from departures to standards such as height, floor area, setbacks, modulation, open space, and requirements for streets, alleys, and easements could impact existing uses by blocking light or views and allowing additional encroachment into setbacks and streets. As changes to height and floor area are limited by the ordinance, these changes are not

anticipated to be substantial or to have significant impacts. Alternative massing could also result in new buildings that are out of character with existing structures if they allow for non-traditional configurations. This impact could be increased by the possibility that green building strategy such as natural ventilation, daylighting, solar collectors, water collectors, or urban farms could encourage new building types or designs different from traditional buildings. As departure requests will be reviewed against the goals of the Living Building Challenge and design guidelines, these impacts will tend to be minimized.

Departures to light, glare, and solid-waste container standards could also impact land uses on adjacent properties where they create new light, glare, or visual impacts on adjacent properties. As departure requests will be reviewed against the goals of the Living Building Challenge and design guidelines, these impacts will tend to be minimized.

Departures from accessory use standards could result in the development of uses that are not currently allowed under code. As the departures would be reviewed against the goals of the Living Building Challenge and design guidelines and are limited to uses directly related to meeting the Living Building Challenge, these impacts from these uses would tend to be minimized.

Overall, the scope of the departures allowed under the pilot program could result in fundamentally new building types, with alternative configurations to better harness solar and water resources, new exterior treatments, or intense use of plants, which might result in changes to land use where the character of local areas is changed. As departure requests will be reviewed against the goals of the Living Building Challenge and design guidelines, these impacts will tend to be minimized.

**Proposed measures to avoid or reduce shoreline and use impacts are:**

Projects in the shoreline jurisdiction would not be eligible to participate in the pilot program. Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

**6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

This proposal is not likely to result in substantially increased demands on transportation or public services and utilities. Increased density will result in increased demand for public services. Because of the nature of the pilot program, the proposal is not likely to increase demand on utilities. Minor indirect impacts may result where departures from parking standards reduces off street parking. These changes may in some situations result in additional demands associated with greater use of on-street parking or even public transportation where it reduces car ownership. The potential transportation impacts of such actions on a given lot, a given street, and measured in the aggregate would likely be minimal.

Departures from street, alley, and easement requirements could also impact transportation if they result in reductions in the capacity to carry traffic. As departure requests will be reviewed against the goals of the Living Building Challenge, and design guidelines, these impacts will tend to be minimized. Applicants will also have to meet SDOT Street Use Permit requirements for structures in the right-of-way.

This proposal is not like to have significant adverse impacts on utilities as it may result in more energy and water efficient structures, which will reduce utility demand. Minor

adverse impacts to utilities may occur where buildings put energy back into the grid, which could increase the need for more sophisticated energy management techniques.

**Proposed measures to reduce or respond to such demand(s) are:**

Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

**7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

The proposed amendments are believed to avoid conflicts with local, state or federal laws and requirements for protection of the environment.

While the ability to allow additional departures from the Land Use code could be interpreted as conflicting with Comprehensive Plan policies that call for establishing specific standards, the purpose of this ordinance is to allow flexibility in prescriptive standards that meets the intent behind imposing these standards while also meeting other environmental goals.

This proposal is also consistent with Comprehensive Plan policy LU55 regarding design review which states:

“Employ a design review process to promote development that:

- Enhances the character of the city
- Respects the surrounding neighborhood context, including historic resources
- Enhances and protects the natural environment
- Allows for diversity and creativity in building design and site planning
- Furthers community design and development objectives
- Allows desired intensities of development to be achieved”

The proposal would achieve this policy by continuing to balance goals regarding character, context, intensities, and community objectives through consideration of design guidelines and community input while also allowing additional flexibility to encourage creativity and encourage buildings that better protect the natural environment.

Overall, this proposal would allow new buildings that will support important environmental goals such as Comprehensive Plan Goal EG1: Protect and improve the quality and function of the city’s air, land, and water resources because of their relationship to human health, wildlife and the region’s natural heritage.